IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 979 of 2004 (M/B)

Sharif Ahmed Malik S/o Khalil Ahmed,
R/o B-117, Awash Vikash, Kichha,
P.O. Kichha, Tehsil Kichha,
District Udham Singh Nagar. …….. Petitioner

Versus

State of Uttaranchal through Secretary,
Revenue & Finance,
Dehradun, Uttaranchal & others. ……... Respondents

Mr. S.K. Mandal, learned counsel for the petitioner.
Mr. Shailendra Chaudhary, learned counsel for respondents No. 2 & 3
Mr. K.P. Upadhyaya, learned Brief Holder for the State.

Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

1. Heard learned counsel for the parties.

2. Learned counsel for the petitioner says that this writ petition is squarely covered by the judgment of this Court dated 5.12.2003 in writ petition No. 593 (M/B) of 2003 and also by the judgment of the Allahabad High Court in the case of Tejveer Singh Vs State of U.P. reported in 1997(29) ALR 68, in which it has been held that the petitioner was liable to pay fixed stamp duty at the rate of Rs. 100/- only and not the stamp duty calculated on ad valorem basis. Learned counsel for the other side has no objection to this statement.

3. In that view, this writ petition is also disposed of accordingly.

(Irshad Hussan, J.) **(V.S. Sirpurkar, C.J.)**
05.10.2004 **05.10.2004**

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